

1: CV 00-1807 (i)

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIACD-1857
(Inmate Number)Matthew Dix (SCI-Dallas)
(Name of Plaintiff)1000 Follies Road
Dallas, PA 18612-0286
(Address of Plaintiff)Matthew Dix

vs.

MARTIN F. HORN, SECRETARY (D.O.C.)
William A. HARRISON; J. HARVEY
BELL; ROBERT S. BITTNER (D.O.C.)
BEN VINEK, SUPERINTENDENT;
BARNETT; T. STACHELEK (SCI-Dallas)
(Names of Defendants) (Cont. on back of
paper following)RECEIVED
SCRANTON

SEP 29 2000

FILED
SCRANTON

OCT 12 2000

PER J (Case Number)

DEPUTY CLERK

PER J

DEPUTY CLERK

COMPLAINT

For Violation Constitutional
Rights indicated below. Title
28 U.S.C. § 1343(A)(3), For
Declaratory and Injunction
Relief; Title 28 U.S.C. § 2201
And 2202; Rule 65 F.R.C.P.;
Compensatory and Punitive
Damages.

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS AND SEC. 1985(2), (3); 28 U.S.C. § 1331 - FEDERAL OFFICIALS (PARAGS.) 21 & 22

I. Previous Lawsuits

A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

MATTHEW DIX V. GREGORY R. WHITE, ET AL.
D.C. Civ. No. 95-cv-01472, filed August 25, 95.
APPEAL September 13, 1996, United States Court of
Appeals for the Third Circuit under Dkt. No. 96-3561.
then Dismissed February 14, 1997.

II. Exhaustion of Administrative Remedies

A. Is there a grievance procedure available at your institution?
 Yes No

B. Have you filed a grievance concerning the facts relating to this complaint?
 Yes No

If your answer is no, explain why not _____

(Named Defendants of Caption Continue):

FRANK D. GRILLIS, Superintendent; FRANCIS K. DASCHNI; RONALD L. LANE; ROY E. JOHNSON AND KASKIE (SCI-Cortlandtshire); JOSEPH CHENEY, Superintendent; ROBERT SHANNON AND E.K. SMITH (SCI-Fractville);

ARE VERSO. INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES.

Defendants.

"AS PRESCRIBED BY RULE 13(C)(1), F.R.CIV.P., PARTIES OFTEN CONSENT EXERCISE BY A MAGISTRATE JUDGE OF CIVIL JURISDICTION OVER CASE. IT IS HEREBY ADVISE THAT PLAINTIFF elect NOT consent A MAGISTRATE, AND THAT CASE BE RESIDED OVER BY DISTRICT JUDGE."

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

A. Defendant MARTHA F. HORN is employed
as Secretary → PENNSYLVANIA DEPARTMENT OF
CORRECTIONS (D.O.C.), AT P.O. BOX
598 CAMP HILL, PA. 17001-0598.

B. Additional defendants William H. HARRISON (Head Supervisor - TRANSFER Department); D. J. HARVEY Bell (BUREAU OF INMATE SERVICES), of the (D.O.C.), at P.O. Box 598, Camp Hill, PA. 17001-0598; and D. Robert S. Bitner, employed as Chief Hearing Examiner (C.H.E.), of the (D.O.C.) at 1451 N. Market Street, Elizabethtown, PA. 17022.

IV. Statement of Claim

(Continue on Attached Rider, pp. #
2A AND 2A-1)

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give ANY legal assumptions or cite any cases or statutes. Attach extra sheets if necessary).

Subject: A CHRONOLOGY OF EVENTS FROM WHICH RETALIATION AND CONSPIRACY EXTEND CARRIED OVER FROM PRISON TO PRISON IN VIOLATION PLAINTIFF'S 1st, 8th, AND 14th AMEND. U.S.C., THE PENNSYLVANIA CONST. ARTICLE 1 SECTIONS 9, 11, 13 AND 26; 37 PA. CODE §§ 93.9, 93.11, 94.6 AND 9111(b).

1. IN GENERAL Plaintiff claims that the named defendants individually or jointly, acted under color of State Law to deny him of Constitutional Protected Rights GUARANTEED by the United States Constitution in that

- Subsequent transfer from the (SCI) State Correctional Institute Coal Township (SCI-CTS) to (SCI) Dallas July 13, 2000. AFTER A brief orientation upon ARRIVAL by staff (SCI-D). Plaintiff was placed in Administrative Custody (AC) status (RHU) Restricted Housing Unit (K.B. cell # 41) where he resides this present day used as a pretrial for PUNITIVE and LONG TERM confinement for continuous wrongful actions carried over SCI transferred in REPRISAL infractions for misconduct therefrom which SC-time was fully expire; ALSO for refusal to forsake Z-Code status which result the current
- defendant same exact erroneous practice conducted (SCI-CTS) constantly circulation noise his assigned cell --(somehow); experient for the last past three and half 3 1/2 YEARS until present in Retaliation Plaintiff's persistency in times past decline double celling SCI-FRACKVILLE (SCIF) which began the back AS SCI - PITTSBURG (SCIP) in "1995 - 1998" SAMOTELAIS AN EXPERIMENT. AND REPRISAL continues for various before
- constitutional Protected Activity, "LAW SUIT THEM" AND NOW PUR
- Administratively in LEACHDOWN NOISE, COTTE MAIL INTERFERENCE

(Section III. (Page Two) (Continued))

e). Defendant BEN VARNER is employed as Superintendent at the State Correctional Institution (SCI) DALLAS, at 1000 Follies Road, Dallas, PA. 18612.

f). Defendant BARNETT is employed as Superintendent Assistant and Official Grievance Coordinator, at (SCI) Dallas, at 1000 Follies Road, Dallas, PA. 18612.

g). Defendant T. Stachelsk is employed as Deputy Superintendent of Facility Management / Security, at the SCI- DALLAS, at 1000 Follies Road, Dallas, PA. 18612.

h). Defendant FRANK D. GAILLIS is employed as Superintendent at the State Correctional Institution Coal Township (SCI-CTS), at 1 Kelly Drive, Coal Township, PA. 17866-1021.

i). Defendant FRANCIS K. DASCANI is employed as Superintendent Assistant / Grievance Coordinator, SCI- Coal Township, at 1 Kelly Drive, Coal Township, PA. 17866-1021.

j). Defendant BEFRON L. LANE is employed as Deputy Superintendent Centralized Service, SCI- Coal Township, at 1 Kelly Drive, Coal Township, PA. 17866-1021.

k). Defendant RAY E. JOHNSON is employed as Deputy Superintendent Facility Management / Security, SCI- Coal Township, at 1 Kelly Drive, Coal Township, PA. 17866-1021.

l). Defendant KINSKIE is employed as Unit Manager (when visiting committed, E-Block) at the SCI- Coal Township, 1 Kelly Drive, Coal Township, PA. 17866-1021.

m). Defendant Joseph Chesney is employed --- (that is upon belief) still as Superintendent at the State Correctional Institution FRACKVILLE (SCI-F), at 1111 ALTRAMONT Boulevard FRACKVILLE, PA. 17931.

n). Defendant Robert Shannon was employed as Deputy Superintendent of Facility Manage and Security at SCI-FRACKVILLE. But since such time knowledge have been gain that the defendant are now employed as Superintendent at SCI-MAHANOT, 301 Morea Road, FRACKVILLE, PA. 17931.

o). Defendant B.K. Smith is employed as Deputy Superintendent of Centralize Service SCI-FRACKVILLE at 1111 ALTRAMONT Boulevard, FRACKVILLE, PA. 17931.

Each defendant is sued individually and in his or her's official capacity. At all times mentioned in this complaint each defendant acted under the color of Pennsylvania law.

(Section IV. of Page Two (2) Continues)

11. TWO (2) OUT OF THE 3 1/2 YEARS VIOLATION OCCURRED (SCI - CTS)
12. WHERE NOISE LEVELLED PLAINLIFE TWENTY - FOUR 24 HOURS A DAY,
13. SEVEN DAYS A WEEK ADDED AND CARRIED - OVER UPON ARRIVAL
14. PRISON'S (RHU) FROM (SCI) IN AUGUST, 1998. THEN CONTINUED
15. RELEASE PRISON GENERAL POPULATION AND ANY SUBSEQUENT PERIOD
16. CONFINEMENT (RHU) THROUGH - OUT AND UNTIL PRESENT (SCI).

3). SURFACE AND CIRCULATION NOISE FIRST ENCOUNTERED AND EXPERIENCED ABOUT THE LAST FIVE (5) TO SIX (6) MONTHS PRIOR TRANSFER (SCI - RHU) TO CONITOWNSHIP'S. AT WHICH TIME ROBERT SHANNON RESIDED DEPUTY SUPERINTENDENT PRISON FRACKVILLE AND SCHENKEN BELIEVED UNIT MANAGER (RHU-ANNEX) WHEN EXISTED WHERE, COMPLAINTS FIRST COMMENCE ESTABLISHING RECORD DURING STAY PRISON ONE SOLID YEAR AUGUST 6, 97, UNTIL AUGUST 25, 98, UNDER GOING DISCIPLINARY CUSTODY (DC) TIME (FRACKVILLE RHU - ANNEX AND BOTTOM RHU).

Occurrence SCI - Conitownship Similar (SCI):

4). WHATEVER, SORT DEVICE RESPONSIBLE --- "IT" 18 U.S.C. § 2510 OR 18 PA.C.S.A. § 5701 OR THE (D.O.C.) OR AND INDIVIDUAL INSTITUTIONS THEMSELVES THE CIRCULATION NOISE ELECTRONICALLY, COMPUTER, POSSIBLY "THAT IS" SATELLITE OR DISH. PLAINTIFF HAS NO IDEAL OR WAY KNOWING, BUT SEEM DEVICE ARE WITH ABILITY TO RELAY INFORMATION OTHER INMATES CELL, THE P.A. SYSTEM, AS WELL ENABLES STAFF AND INMATE HEARING, CIRCULATE OTHER AREAS PRISON, INCLUDING BUT NOT LIMITED, TRACKING AND FOLLOWING PLAINTIFF'S PERSON TO AND FRO THROUGH - OUT PRISON, RELIGIOUS SERVICE LIBRARY, ETC., THOUGH SOME CONFIRM HEARING NOISE, BUT NOT MAN

IT APPEARS THAT MAJORITY INTERACTS NOISE CONVERSING IN SOFT TONED VOICE OR MUMBOS. LATER AFFIRM BY CLEAR AND APPROPRIATE EXPRESSION THE INDIVIDUAL'S OWN REMARKS.

5). IN FURTHERANCE NOISE, OFTEN WRONGS ARE GRADUALLY ADMANED BY AND CORRECTIONAL OFFICER (C.O.) STAFFS FOR MOST PART WHEN TRAVEL HAVING UNITS OR UPON ESCORT- NURSES SICK-CALL WHO ASSIST SOME WAY OR ANOTHER SPREADING AND OR WHISPER RUMORS OTHER INMATES OR INMATES SEEK INFORMATION VERBAL AND WRITTEN (C.O.) STAFFS WHO'S ON WHAT PRISONER "TERM GRIND-UP" OR HIT AND MISS CALL THEIR ABILITY TO HEAR NOISE PURSUANT PUNISHMENT OR

simply with knowledge violation and by whom(s) responsible. Then knowledge usually gain Plaintiff by other inmates blunder attending outdoor exercise YARD (RHU) OR CONVERSING AMONG themselves confined cell. All purposes Retribution extended to endanger, threaten, humiliate, intimidate and use other inmates as occurred (SCIF, SCI-CTS) and now (SCI-CH) to sow discord and scorn, belittle, discredit to portray his person snitch for sole cause to break his hand decline and compliance double cell. And if not cause of actual injury such as nervous break-down, or even death OR AS OCCURRED ---- traumatic stress and anxiety which has induce what Plaintiff (beyond belief) "knows" to be "stroke that impaired his speech" and severely affected (NEARLY PARALYZE) the entire right side his body lasting this 3 1/2 to 4 years now.

67. But due to vigorous exercise Plaintiff have maintained in his state of condition seemingly able to stabilize definitely in hopes decrease from going bad to worse, n Skin that is upon belief.

11. SCI confined for retaliatory and conspicuous purposes besides
 12. the "decline double cell" which constantly resulted misconduct
 13. reports. → But also as tool prison officials to exercise
 14. at will and unjustly reprimand for hide psychiatric/psychologist
 15. department for lock-down a (dry or hard cell) days weeks or
 16. possibly months at a time prohibit ANY PERSONAL belongings,
 17. clothing, etc., of which Plaintiff was threaten therewith daily
 18. at slightest sign verbal or written contest. . . . Nevertheless,
 19. retaliation continue until and through time single cell was
 20. approved (SCI-CTS), though not yet established Z-Code.

8). Plaintiff are further knowledgeable and knows for fact that
 dreams are not those his own produced naturally of his own body,
 but some sort technology. Other occurrences connected noise
 are high - pitch sound, though do not know how to explain but
 comparative, though not ----" a television sound when turn - on"
 and appears be controllable in pitch, able be higher or lower, come
 and go when necessary or convenience in situations as staffs or
 associates Plaintiff's attempt entry cell assigned or others
 took housing block noise seen or better yet fades.
 Further, this may seem a little far - fetch. But Plaintiff
 would go as far to even suggest as result his ability to hear
 noise and seemingly non - others, are in plant possible.

9). APPARENTLY, noise seem able only be heard Plaintiff in cell at
 1. all times as long conscious and retains around the clock censorship
 2. his person often bringing upon drowsiness mainly whenever
 3. engaged ANY sort writing simply as a letter and especially legal
 4. Other symptoms appears be connected steady circulation noise
 5. beyond high pitch sound, drowsiness bringing upon naps / sleep, then
 6. suddenly the experimental dreams which episode was not natural.
 7. For this Court's example: "where dreams produced a single family
 8. member or two at a time with Plaintiff therein → using his person
 9. to make identification each until all had been identified, produced
 10. dream by dreams.
 11. Notwithstanding, device appears be with ability to "plant"

12. thoughts the human mind, draw information therefrom hidden or
13. unhidden, repeat of thoughts whether silent or express aloud,
14. constantly distressing Plaintiff's criminal and family history
15. but whether others (inmates) can hear as Plaintiff ---- are up in
16. air, questionable. Though know for fact their knowledge are or if
17. gained are gained by staffs prison level of information, level's
18. allegations in accurate, threats of new criminal charges should
19. Plaintiff not fit it end his legal activity, and seldom
20. accusations wrong alleged others.
21. Noise appears only be geared, directed leveling Plaintiff.

10. Cause if not sole "fact" to break Plaintiff Z-Code cell status.
than two fold: (1) Experimental and (2) as well reprisal using as
tool spread past criminal history and believe production rap-sheet
others as result (c.o.) staffs including those of chain command and
above conscious conduct and or dislike his demeanor, knowledge law
and evidently grant and issuance by staff note SCI - CTS adopting
psychiatric recommendation was not in good faith, nor could have been
after grant where numerous experience trouble "no more than
reprisal encountered staffs population prison as well (RIM) and
upon any sequent event return confronted with quarrels, quizzing
and threats issuance misconducts reversing discrepancy rests cell
status which substantiate accord (PRR) monthly periodic review
rationales (PRR) from assign No. # 671939 until release (RIM)
after extensive period detention ending at assignment No. # 793558,
discharging general population sequent the arrival SCI - CTS
until incident incurring the March 27, 2000, misconduct.

11. (PRR) from, through and until accord assign numbers above
distinctly establish cell status "single" thoseh recommended
Z-Code, as oppose proof the final (PRR) issued Plaintiff just
before transfer July 13th which specifically specified 4Z,
meaning classification level # 4, and cell status - Z Code "single"
at (PRR) assign No. # 908550, of June 20, 2000.

Moreover, as result discrepancy one incident actually resulted

misconduct infraction charging plaintiff with violation institutional rules and regulations "refusal to obey AN ORDER" for declining to double cell allegedly where he were supposed to have been Z-Coded already accord record for Knowledge (RHU) officials.

12. Retaliation further extend stay SCI-CTS by interference, transferring, obstruction to communicate prohibiting expedition and transmission institutional mail, and believe some out going Justice obstructed. But response entered Special Assistant to the Secretary of Corrections Thomas L. James of February 29, 2000, does not establish one way or the other receipt n letter send office plaintiff in furtherance wrongful practice complained prison's security department HARASSMENT, BRINGER AND DISCRIMINATORY PATTERN behavior constantly mandating urinalysis testes his person responsible Captain Security McANNANAY AND Knowledge served MAJOR D. A. VARIANO that practice was inconsistent (D.O.C.) policy and law. CAPITALIZING WRONGS (SCI-CTS) for single decline occurred past due to referral lawsuit. And SCI-CTS purpose to maliciously further scheme by need to break and rescind plaintiff visitational privilege to do away with all outside contact for exercise without hindrance or risk exposure referral whenever return home or necessary permanent lock-down (RHU).

Occurrence SCI - Dallas:

13. ~~Retaliation~~ Now same exact scheme, malicious, sadistic practice experime plaintiff underwent SCI-CTS were currently occurring him SCI-2 DALLAS constantly circulation dispersing Noise his (cell # 41, RHU, KB - block) deliberately conducted and assisted (C.O.) staff 4. Chain command in cohort which confers Deputy and Superintendent 5. Levels. WRONGS further secretly (C.O.) staff by rumors other 6. inmates alleges things such as, "some one has a sex partner" ON them, there's A RAFFER ON block ---- to insinuate "RAPER" 8. OR state actual cell referred things of this nature spitefully 9. And wilfully leveled and spread plaintiff's person further in

10. Purpose to attempt by force, discourage to ultimately break his
11. break his hand to forsake the Z-Code status, and retaliated in
12. respect his present and ongoing detention Administrative Custody
13. (AC) in Segregation (RHU) are being used as a pretext for
14. Long term confinement (PRC) SCID for punitive purposes of the
15. July 13th transfer as additional retribution the disciplinary
16. infractions incurred elsewhere, in violation 37 PA.C.S.A. §9711(b).

17. Transfer thus far has been alleged separation purposes
18. Plaintiff from staff in light cause incident SCI-CTS ending
19. misconduct # 908550, and monthly attendance Periodic Reviews (PPR)
20. absence knowledge of participation served ANY investigation
21. allegedly conducted security or production documentary evidence
22. reason WARN ^{is} by vote or recommendation. Nor notice served
23. conclusive findings as avoided in the MAY 4, 2000, response issued
24. by J. HARVEY BELL, Bureau of Inmate Service (D.O.C.) seeking
25. intervention^{by} William A. Harrison, believed head supervisor transfer
26. Department (D.O.C.). 37 PA.C.S. (Code) sec. 93.9.

14). Plaintiff was transferred SCI pending (AC) confinement
SCI-CTS for nearly three 3 weeks awaiting availability bed
space prison's population subsequent expiration the (DC)
disciplinary custody time imposed misconduct sanctioning ninety
90 days.

Redress Sought:

15. Since confinement SCI Redress sought continuous and
ongoing the chronology of events from which retaliation and
conspiracy extends carried - over institution to institution
conducted, practice and disperse Plaintiff's person. Notice was ^{37 PA.C.S. sec. 93.9}
served Superintendent Ben VANNER, dated July 15, 00, promptly
AFTER ARRIVAL. Then copy served personally Deputy Superintendent
STRACHEK upon Rendezvous (PRC) July 20, 00, but no respond ever
render correspondence ---- though acknowledge on final appeal
A273021 in a DC-ADM 802 (AC) process dated August 1, 00.

which stipulated continue confinement in respond Redress (PRC) hearing's decision.

16. Redress further extend Grievance Coordinator MR. BARNETT time and time again but denied Access exercise procedure DC-HOM 804 of the (D.O.C.) Policy, by duplicitous, bogus and GRAFTY tactics use for purpose to prevent entertainment by deliberately and maliciously orchestrating the existence (CREATE) "No Remedy Available Administrative for Redress." Subsequently notification filed (C.H.E.) Chief Hearing Examiner, Robert S. Bitner, August 18, 00, seeking Redress. But no response rendered as of present. 37 Pa.C.S. (Code) sec. 93.9.

17. UPON ARRIVAL SCI-CTS Redress was sought Deputy Superintendents Lane and Johnson, (RHU) Lieutenants Frost and later Martino, Record Supervisor Jennifer Hendricks some by way written inquiries, and others personal through and until September 1 - 8, 1998, and consultation prior transfer. Subsequent Grievances followed Kandi K. Dascani, Grievance Coordinator dated September 10, 98, among other correspondence in Redress tactics delays and Prohibition Access and exercise process, and in response Acting Superintendent Assistant Inne Hinman issued a decision September 18 & 29, 1998.... Then Plaintiff refiled grievance October 7, 98 and November 1, 98, among other responses between with address Superintendent F.O. Grills, MR. Santarelli, SCI-CTS, Secretary Horn's Office of the (D.O.C.) where response was entered in behalf (D.O.C.) by Vincent Mooney, Inspection Lieutenant of January 19, 99. Finally grievance filed K.K. Dascani again December 6, 98, where full exhaustion was had (C.H.E.) Level January 20, 99, conferring entertainment previous -- (relevant Redress the constant and ongoing circulation noise) 37 Pa.C.S. (Code) sec. 94.6.

18. Roles played and further acted the (D.O.C.) and staffs SCI-CTS were thus: Brought the attention Executive Deputy Commissioner, R. Clymer of the (D.O.C.) by copy & letter of April 17, 2000, addressed MR. HARRISON, Dept. of TRANSFER (D.O.C.) the retaliatory, Conspicuous, deceitful, and negligent practice and conduct staffs SCI-CTS presenting denial of due process by a disciplinary hearings officer, WILDERN and (C.H.E.)

5. exhibits in proof various documents misconduct proceeding fully
 6. exhausted, numerous grievance filed and exhausted long before
 7. incident came to pass, including but not limited to, petition file
 8. deputy B. Inne, who's in charge library department, and R. E. Johnson
 9. head person in charge management and security prison, for grievances and
 10. deceitful acts acting in cohort (C.O.) staff condoning if not
 11. order transferring, interference and destruction of Justice to communicate
 12. by mail institutionally and domestic outside legal and non-legal
 13. have failed and acted deliberate and indifferently to plaintiff's
 14. Federal and State Constitutional Rights by denial or lack show concern
 15. their job duties and responsibility. ^{37 PA. Code sec. 94.6.} JOHNSON ACT CONSPIRACY in
 16. condone unit manager MR. Kastie and (C.O.'s) wrongful PRACTICE
 17. assigned housing unit plaintiff and was responsible dealing's inmates
 18. as: (1) Removing mail unit's boxes for transmission designated areas
 19. prison, and (C.O.) confiscation outgoings, (2) habitual PRACTICE
 20. partiality when problems arises plaintiff and officers sizing
 21. staff's unit manager and (C.O.). (C.O.) staff press word on Hearing
 22. Examiner (H.E.) ~~person~~ who and who not to find guilty misconduct charge
 23. upon appeal (PRC) usually resided over K.K. Dascani or just take size
 24. those chain command all because they're staffs and plaintiff inmate
 25. ---- in contest written response served plaintiff deputy superintendent
 26. ENT JOHNSON informing his recommendation transfer to the contrary MR.
 27. Bell's assertion "security". Deputy Inne alleges "uncertainty" and
 28. Counselor MR. Williams "confirms transfer" upon personal consultation
 29. rendezvous visits cell (RHM). All whom acted in cohesion scheme
 30. Retaliatory transferring and punitive so long plaintiff maintain
 31. their approved Z-Code single cell status.

32. Accords assignment number of (PRC) #908550, April 25, 00 and
 33. May 23, 00, documents establish custody Level 5+, believe means
 34. Level #5- TRANSFER, and the June 20, 00, rationale establish #42
 35. (PRC) Release General population upon availability bed space.

19. Including Assistant Superintendent Mr. Kandi K. Dascani for
 her actions played scheme denying access and exercise the (804)
 procedure some grievance petitions and denial of this and impartial
 when access were denied ^{37 PA. C.S. (Code) sec. 93.9} when the chronology of events from

which Retaliation entered the Z-Code. Further Referring GRIEVANCES substitute for entertainment, entry and issuance response subordinate who deny FAIR and impartial review Accepting without question staff's VERSION totally ousting the inmate who request PERSONAL interview consistent policy for further info. Subsequent entry and issuance Response substitute GRIEVANCE COORDINATOR's FINDINGS OF FACTS ARE FULLY ADOPTED AND FINALIZE OFFICIAL COORDINATOR Ms. DiCarri.

- 2d. ERRONEOUS PRACTICE ARE FURTHER BY SUPERINTENDENT F. D. GRILLS ROLE PLAXED UPHELDING WRONGS AND DECISIONS SUBORDINATE EMPLOYEES BELOW RESPONSIBLE RETALIATION PROCESS ENTRY AND ISSUANCE RESPONSE. AND OR DOES NOT FULFILL HIS ROLE WHEN REVIEW APPALS WHE FILED HIS PERSON, but LEAVES MATTER UP TO HIS ASSISTANT SUPERINTENDENT, GRIEVANCE COORDINATOR RESPONSIBLE INITIAL LEVEL TO ACT IN HIS CAPACITY TO FURTHER DENIAL ACCESS A FAIR AND IMPARTIAL HEARING IN CHIEF RETALIATION BY FAILING TO ACT.
- 2d. THROUGH-OUT ORDEAL SCI-CTS, CONTACT HAS BEEN VIGOROUSLY SOUGHT THE UNITED STATES DEPARTMENT OF JUSTICE, F.B.I., PHILADELPHIA PENNSYLVANIA, STANDARD MAIL SEPTEMBER, 99. THEN REDRESS GAVE WAY SPECIFICALLY THE F.B.I., SERVICE BY CERTIFIED MAIL IN A LETTER DATED JULY 10, 2000, SEEKING INVESTIGATION THE STEADY, CONSTANT AND ONGOING CIRCULATION NOISE PLAINTIFF ASSIGNED CELLS INCARCERATED. FOLLOWING CONTACT SOUGHT THE UNITED STATES ATTORNEY GENERAL OFFICE MRS. J. RENO, BY WAY LETTER DATED FEBRUARY 14, 2000, SERVICE CERTIFIED MAIL, AND COPY SERVED MR. FISHER, OF THE ATTORNEY GENERAL OFFICE OF PENNSYLVANIA, BUT AS OF PRESENT DAY NO RESPOND WITH ENTER OR RECEIVED PLAINTIFF AT PRISON.
FURTHERMORE CORRESPONDENCE WAS SOUGHT AS WELL ORGANIZATIONS.

- 2d. AND PRIOR SCI-FRACKVILLE UPON FIRST ENCOUNTER "NOISE" BOTTOM HOLE(RHM), FOLLOWING REDRESS → THE RETALIATION OCCURRED PRIOR ANNEX AS FAR BACK FEBRUARY 17, 98, SEEKING REDRESS GRIEVANCES AMONG OTHER RESPONSES. THEN REFILED MARCH 1, 98, ISSUE ASSIGNED NUMBER # FRA-0100-98, AND FULL EXHAUSTION HAD (CAT. E.) APRIL 16,

with prior input issue in a decision April 13, 98, by J. H. Bell (D.O.C.) among other grievance petitions filed, another June 6, 98, and exhausted (C.H.E.) during stay SCIF. A letter of August 7, 98, service by certified mail seeking Redress Coordinator's Mr. James FARR deliberate, bogus excuses denial access process (DC-ADM 804) but no response ever rendered. Then contact sought as well the United States Department of Justice Washington, DC, as early back 1997 or 1998, concerning the steady circulation noise prison's bottom hole (RHU). Simultaneously copy served Secretary (D.O.C.) MARTIN F. HORN August 21, 98, and Senator Greenleaf's office wherefore response issued Vincent F. Mooney (D.O.C.) September 10, 98, in advise. Letter was referred department for respond.

22a). During Plaintiff's confinement bottom hole (RHU, A-cell #11) A GRIEVANCE WAS FILED dated June 6, 98, to GRIEVANCE COORDINATOR (SCIF) MR. FARR containing LEAK of personal information his prison files other inmates incontinence the constant circulation noise his assigned cell, housing unit and - [REDACTED] same noise outdoors leaking information and leveled accusations his person only to be denied access and exercise process (DC-ADM 804) followed by fabrication alleging he relied among numerous other bogus excuse sequentially entered for response.

22b). Subsequently over-all grievance matter was brought the attention Deputy Superintendents SHANNON AND SMITH upon attendance the monthly (FRC) hearing of July 15, 98, only to be continued as result Plaintiff's position decline double celling.

22c). Then on August 2, 98, redress was sought Superintendent Joseph Chesney, and intercepted by MR. J. FARR who entered and refused respond Plaintiff August 3, 98, followed by others in response the continuous and ongoing correspondence for break-through as result denied access and process.

(PAGE # 28-9a):

22d). On August 7, 98, Redress was sought (C.H.E.) by Letter service certified mail, but no response ever returned the Plaintiff as of present day.

22e). Further Redress was sought Superintendent Cheaney by way inmate request (DC-135A) form dated August 13, 98, and copy served Deputy Shannon in reference the ongoing constant circulation of noise, including a host of other wrongful and unethical activity brought by a pattern of practice, conduct and unusual behavior from which Refusal and conspiracy extend.

22f). On August 16, 98, written correspondence was sought Record supervisor of prison (SCTF) Joann Zaffo, servicing copy to Mr. Senftoss seeking Redress same format circulation noise but harsher experience Plaintiff then, though still occur this very day. And response ~~was~~ rendered by supervisor August 18, 98, which held thus:

"MEANS, PRISONERS RECORDS ARE KEPT / STORED BY PRISON WIFE --- (Computer and actual files)."

22g). Subsequently, in a letter of August 24, 98, communication was forward Secretary Horn in furtherance complaining circulation the noise, its echo somehow across the sky outdoes coupled same exact occurrence of other inmates participation assisting (C.O.'s) housing unit for "GIRD-UP" Plaintiff instant (SCTF) though most deny association whenever inquire versus their field day.

22h). Pattern wrongful practices continued until Plaintiff's transfer from (SCTF's, RHM) to and until transfer (SCT - OTS), and presently since enfeoff - over (SCTD).

CLAIMSFIRST CAUSE OF ACTION

23. Defendant MARTIN F. HORN, SECRETARY (D.O.C.) is directly responsible for the policies that govern each SCI under his jurisdiction, including Collins and Conntownship Prison. He is legally and ultimately responsible for the actions, inactions, decisions, response, conduct and deeds of Agents and constituents under his supervision of the (D.O.C.) to supervise subordinate employees and staffs of each (SCI). And has shown a wanton wilful deliberate indifference to the Plaintiff's U.S. Const. Amend. Right: 1, 8, and 14. Right to petition, Prohibition against cruel and unusual punishment, due process and equal clause.

10. Example A instant where communication was sought SECRETARY 11. HORN for redress (C.H.E.) erroneous habitual PRACTICE denying 12. FAIR AND IMPARTIAL REVIEW PURSUANT GRIEVANCE # COA-0495-99, 13. but never responded the November 12, 99, INQUIRY. Plaintiff was 14. compel to seek address others in hopes bringing about response by 15. INITIATING CORRESPONDENCE SERVING COPY Executive Deputy Commissioner 16. R. CYMER (D.O.C.) ADDRESSED THOMAS A. JAMES, stated PARAGRAPHS 17. (PARAG) ~~RE~~ , AND HORN'S SPECIAL ASSISTANT ~~RE~~ 18. TO RENDER RESPONSE --- "though when does only condone wrongs" AT 19. (PARAG) 12 . Subsequently response was entered FEBRUARY 29, 2000, which IN ESSENCE PROVIDED REDRESS Plaintiff's November 12th 20. LETTER WHETHER RECEIVED OR NO, including but not limited violations at 21. 1 - 34, (specific) 3, 4, 7, 11, 15 - 18, 17 AND 22, 229. 4h.

SECOND CAUSE OF ACTION

24. Defendant William A. Harrison is legally responsible actions, inactions and decisions his subordinate J. Harvey Bell or by failure to act where knowledge was served him in contest the RETALIATORY TRANSFER STATED (PARAG) 2, 3, 13L, 25, 14, AND 181.3²⁸, willful and deliberate indifference has wantonly caused Plaintiff to suffer tremendously as result WRONGS CONFINEDLY INFLICTED AND CARRIED OVER FROM SCI-CCS TO SCI-B, conducted, practice and defense to PERSON.

Third Cause of Action

25). Defendant J. HARVEY Bell is Legally responsible and has shown a wanton wilful deliberate indifference to the Plaintiff U. S. Const. Amend. Rights 8 and 14. Prohibition against cruel and unusual punishment, due process and equal protection clause by his action authorizing a deceitful and retaliatory transfer fully knowledgeable responding notification served W. A. HARRISON, and conspired with defendants of SCI-CSC and APPROVED, at (PARAG.) 2, 3, 4, 5, 13L. 24, 14, 18 and 22, 22b.

Fourth Cause of Action

26). Defendant Robert S. Bitner, (C.H.E) of the (D.O.C) are responsible for final review grievance and misconduct appeals without bias, prejudice or partiality. He is directly responsible for rectification erroneous decisions hand-down supervise subordinate employees and staff (SCI) responsible init the (DC-ADM 801 and 804) procedure pursuant (PARAG.) 16, 17, 18, 22 & more. And he is Legally responsible for unconstitutional practice that deny Plaintiff due process, equal protection clause, right to petition and prohibition against cruel and unusual punishment from which extends a chronology of events retaliation and conspiracy for exercise constitutional protected activity, and pursuing matter cell statute. Defendant has conducted and show a history, pattern and practice of behaviour acting in cohesion constituents/subordinates below denying Plaintiff continuously fair and impartial review of grievances and misconduct on final APPEAL Adopting, condoning and habitual affirm decisions below since time Plaintiff's challenge in C.A. 95-cv-01472. Has show a wanton wilful deliberate indifference to the Plaintiff's U. S. Const. Amend. Rights 1, 8 and 14.

Fifth Cause of Action

27). Defendant Ben Warner, Superintendent (SCI) is Legally

responsible for the operation, and welfare of all the inmates of the prison. He is Lesally and directly responsible (supervisory liability) for a chronology of events carried-over from SCI - Conftownship to Dallas from which retaliation and conspiracy continues and the ongoing constantly circulating noise plaintiff's cell stated (PARAG) 1,2,13 thru 15, by failure and/or refusal to act or render redress Plaintiff's July 15, 2000, correspondence which sought redress the unconstitutional practice whether acts his own, cohesive, or supervise subordinate employees and staff. Defendant has shown a wanton wilful deliberate indifference to the Plaintiff's U.S. Const. Amend. Rights at 1, 8 and 14. Right to Petition, prohibition against cruel and unusual punishment, due process and equal protection clause.

Six Cause of Action

28).

Defendant BARNETT, Grievance Coordinator (SCI-D) is

1. directly responsible process of prisoners Grievance petitions -
2. Initial level Review (which have a built-in appeal procedure)
3. Appeal from initial level to End level - Superintendent, and final level (C.H.E). He is Lesally responsible for denying Plaintiff
5. Access and exercise the (DC-ADM 804) process for ~~the~~ Grievance filed Sept. 4, 00, then resiled Sept. 13, 00, AUG. 24, 00, and initially July 21, 00 at point 2
7. Seeking redress the constant CIRCULATION noise his ASSIGNED cell
8. For retaliatory purposes required exhaustion by the (PLRA).
9. His failure to act or act cohesion despite acknowledgement
10. petition Allesine docket number assigned, though did not reveal
11. or reveal inspite Plaintiff's numerous inquiry. Defendant by
12. failure and refusal continues to deny, enter and issue response
13. Plaintiff Grievance petition of July 21, 2000, Ground II 2, as of
14. PRESENT DAY CREATE as stated (PARAG) 1,2,13 & 16; No remedy
15. AVAILABLE redress". And by a wilful and deliberate indifference
16. has wantonly caused Plaintiff to suffer physical,
17. psychological, emotional distress, mental anguish, humiliation
18. intimidation and threats in violation his U.S. Const. Amend.
19. Rights, 1, 8 and 14. Right to redress, prohibit cruel and unusual
20. punishment, due process and equal protection clause.

Seventh Cause of Action

29. Defendant T. Stachelek (SCI-D) is directly responsible ^{37 PA. (Code) § 94.5} for:

1. head of security and committee person the July 23, 2000, (PPC)
2. PROGRAM Review Committee hearing conducted for further review
3. Plaintiff's release. General population Prison Segment A hearing
4. held intake upon ARRIVAL transfer SCI-CTS July 13, 00, at
5. which time COPY notification address Superintendent VARNER WAS
6. PERSONALLY served deputy and committee relevant nature continuous
7. And ongoing circulation noise his assigned cell (RHU), among
8. other events from which Retaliation extend Confinement (CTS)
9. Conspicuously Adopted, carried over. Now scheme in practice Dallas

10. He is legally responsible for PUNITIVELY PENALIZING Plaintiff
 11. for more than sixty days now in addition undergoing detention (AC)
 12. where he still remains this present day recommended Psychiatry
 13. EVALUATION its result SERVICE knowledge (PPC) the written document
 14. FOR ATTENTION Superintendent complaining CONSPIRACY ~~circulation~~ circulation
 15. Noise & further punishment Adopted Superintendent in a response
 16. of August 1, 2000, for sustain (PPC) decision # A213021 finalizing
 17. Appeal in A (DC-ADM 802) process CONCURRING continue confinement
 18. (AC) ^{37 PA. C.S. (Code) 9711(b)} and 93-11, erroneously recorded assign Number AC # A204323 of 7/21/00
 19. immediately objected 8/1/00, for correction and corrected as true
 20. Accords underline above 7/21/00. (PARASE.) 1, 2, 3, 4, thru 15, § 181.253 herein

21. Nevertheless, (PPC) 7/21/00, decision alleged for basis Recommendation
 22. psychiatric evaluation "DANGER TO SELF AND OR OTHERS inmates/staff
 23. Refusing cause misconduct report incurred SCI-CTS trigger
 24. transfer WARD 30 day in addition although "quite unstable" SCI-
 25. DALLAS WAS allegedly suppose to be an APPROPRIATE facility
 26. sufficient and adequate for accommodation such behavior
 27. defendant and staff portrays ACCORD those responsible transfer
 28. Facility he should reside A Level # 4 SCI-CTS to A Level # 3
 29. SCI-DALLAS only to undergo further penalty PUNITIVELY. 37 PA. C.S. §
 30. § 9711(b). And by a written wilful deliberate indifference has
 31. cause Plaintiff to suffer a loss of sleep, impairment of speech,
 32. headaches, physical pain, emotional distress, mental anguish, sha-
 33. trumma, humiliation, intimidation and threat of violence in violati-
 34. his U.S. Const. Amend. Rights at 1, 8 and 14.

Eighth Cause of Action

30. Defendant Frank J. Grillis Superintendent SCI-CTS by
 * the failure to properly train correctional personnel employed
 * prison and supervise subordinate employees. Adopt and confirm
 * affirm erroneous, unfair and partial decisions of subordinate
 * ~~and staff~~ the constant noise circulated cell stated in (PARAG.) 1-
 12, (31, 32, 33, 34 and 21. He is legally and ultimately responsible for
 prison, the welfare of all inmates of that prison, all programs
 and activities of the institution, and has shown a wanton willful
 deliberate indifference to the Plaintiff's U. S. Const. Amend.
 Rights at 1, 8 and 14. Right to petition, Prohibition against
 cruel and unusual punishment, due process and equal protection clause.
 The unconstitutional practice which has caused Plaintiff to suffer,
 suffer a loss of sleep, headaches, physical pain, emotion distress,
 mental anguish, shock trauma, humiliation, threats and intimidation,
 stated (PARAG.) 5 and 6.

Ninth Cause of Action

31. Defendant Kandis K. Dascenzi, Grievance Coordinator SCI-CTS
 1. is directly responsible process of Prisoner's Grievance petition (Initial
 2. Level Review). She is legally responsible the chronology of events
 3. from which Retaliation and conspiracy occur stated (PARAG.) 1-12
 4. 17, 18L.1-24, 19 and 21 for failure to act or total denial access and
 5. exercise process (DC-ADM 804) or act cohersion, denial process for bogus
 6. reasons upon acknowledgement where petition fully, adequately and
 7. sufficiently comply (D.o.C.) policy for acceptance and process seeking
 8. redress over-all Retaliation the Z-Code status and constitutional
 9. protected activity. Actions and inactions substitute subordinate
 10. Grievance coordinators referred investigation, entry and issuance
 11. response. Exercise of a arbitrary and capricious discriminating
 12. process acting bias, prejudice denying fair and impartial review
 13. in determine matters complained. Then adopts decisions as official
 14. Coordinator finalizing relief her level has show a wanton willful
 15. deliberate indifference for unconstitutional practices that has
 16. cause Plaintiff to suffer mental and emotional distress and anguish
 17. physical pain, humiliation, intimidation, loss of sleep, and headaches -
 18. indifferently not only by failure and denial to act, but UNPROHIBIT constant
 19. circulation noise and orchestraion (creating writing) his prison files

20. UTILIZING PRISON'S PSYCHIATRIC / PSYCHOLOGIST REPORTS FOR PUNITIVE
21. PURPOSES IN VIOLATION PLAINTIFF'S U. S. CONST. AMEND. RIGHTS,
22. 1, 8 AND 14.

Tenth Cause of Action

32). DEFENDANT B. LANE (SCI-CRS), OF CENTRALIZED SERVICE ARE
DIRECTLY RESPONSIBLE FOR ACTIONS AND INACTIONS SUPERVISE SUBORDINATE
EMPLOYEES AND STAFF LIBRARY DEPARTMENT BY FAILURE TO ACT, AND IS
LEGALLY RESPONSIBLE WHERE PERSONAL KNOWLEDGE WAS SERVED PATTERN AND
PRACTICE THAT DENIED PLAINTIFF MEANINGFUL COURT ACCESS AND REASONABLE
TIME ATTENDANCE LAW CLINIC COMPOUND BY OTHER INIDERENCE'S, COULDE
REFUSAL ENCOUNTER FILING COMPLAINTS ---- OF WHICH CAUSE FAILURE TO ND
PARK - WAY MISCONDUCT INFRACTIONS FOR CAPITALIZE AND ORCHESTRATION
RETALIATORY AND CONSPIRACY TRANSFER..... FURTHER HE IS LEGALLY
RESPONSIBLE FOR THE UNCONSTITUTIONAL PRACTICES THAT DENIED PLAINTIFF
DUE PROCESS, EQUAL PROTECTION, AND PROHIBITION AGAINST CRUEL
AND UNUSUAL PUNISHMENT STATED IN (PARAGS.) 1 THRU 11, 13L.17-26,
17, 18L.1-8, 21 & 21, FOR WHICH KNOWLEDGE WAS SERVED OCCURRENCE EXPERIENCE
(SCI) IMMEDIATELY CONDUCTED UPON ARRIVAL CANTONSHIP. AND DEFENDANT
REFERRED PRISON'S SECURITY FOR DISPOSITION. (SUPERVISORY LIABILITY).

Eleventh Cause of Action

33). DEFENDANT ROY E. JOHNSON (SCI-CRS), FACILITY MANAGER IS
1. DIRECTLY RESPONSIBLE MANAGEMENT, SECURITY AND OPERATION OF HOUSING
2. UNITS OF THE INSTITUTION. HE IS IN CHARGE OF ALL CORRECTIONAL OFFICERS
(C.O.), UNIT MANAGERS, AND THE HEAD COMMITTEE PERSON (HCP)
3. PROGRAM REVIEW COMMITTEE RESPONSIBLE INMATES CONFINEMENT OR CONFINEMENT
4. (AC) ADMINISTRATIVE CUSTODY, RHU/SMU RESTRICTED
5. HOUSING UNIT, SPECIAL MANAGEMENT UNIT, ETC, AND HEARING INITIAL
6. APPEAL MISCONDUCTS HE IS LEGALLY RESPONSIBILITY FOR THE
7. UNCONSTITUTIONAL PRACTICES "A CHRONOLOGY OF EVENTS FROM WHICH
8. RETALIATION AND CONSPIRACY WAS IMPLEMENT PLAINTIFF REFERENCE (PARAG
9. 1 THRU 12, 13L.17-26, 14, 17, 18 AND 21, UPON ARRIVAL PRISON
10. CARRIED - OVER FROM (SCI) FOR DECLINE/REFUSAL DOUBLE CELLING
11. CARRIED - OVER FROM (SCI) FOR DECLINE/REFUSAL DOUBLE CELLING

12. which continue long after, through and grant single, and in
 13. reprisal his steadfastness maintain thereof, exercise constitutional
 14. protective activity confined (RHU) and population by camouflaging
 15. the misconduct incident for capitalize and or act cohesion
 16. show cause transfer that deny prisoners due process, equal protection
 17. right to petition and prohibition against cruel and unusual
 18. punishment. Defendant by a wilful and deliberate indifference
 19. has wantonly caused plaintiff to suffer a loss of sleep, emotion
 20. distress, mental anguish, physical pain, threats of bodily harm,
 21. shock trauma, impairment of speech, humiliation, intimidation, mock
 22. and beyond.

Twelfth Cause of Action

34). Defendant Kastie, unit manager (SCI-CTS) is directly responsible for decisions in regard control, the operation of inmate housing unit and open communication and meaningful interaction between staff and inmates. He is legally responsible for the unconstitutional practices that deny plaintiff right to petition, due process, equal protection and prohibition against cruel and unusual punishment roughly, continue and ongoing circulation noise plaintiff's assigned cell his housing unit in general population prison in cohesion retaliation and conspiracy superiors by failure to stop violation beinging knowledgeable or reprisal. As result plaintiff's steadfastness (refusant to give-up his single cell status allegedly Z-Coded from time grant)..... He is further legally responsible for reprisal experience and disperse (C.O.) staffs assigned to work housing unit, namely regulars under his management set forth in (PARAGS.) 1, 4, 10, 11, 12L, 14, 15L, 10, 11, 17-26, 14, 18L, 15, 18-21 and 30-31. This shows a wanton wilful deliberate indifference to the plaintiff United States Const. Rights at U.S.C.A. 1, 8 and 14.

35). Plaintiff also alleges defendants' violations of state law; (pendent claim) named above and following.

Thirteenth Cause of Action

36). Defendant Joseph Chesney Superintendent (SCIF) is legally responsible for the operation, and welfare of all the inmates, including but not limited, failure to properly train correctional (C.O.) personnel and supervise subordinate employees and staff of the prison has shown a wanton willful deliberate indifference to the Plaintiff's United States Const. Rights at U.S.C.A. 1, 8 and 14, for unconstitutional practices a chronology of events from which Retaliation and conspiracy occurred stated in (PARAGRAPH) 11, 2, through 1L. 10-20, 9L. 14, 12L. 1-4 and 22 through to 22F in that deny prisoners, Right to petition, due process, equal protection and prohibition against cruel and unusual punishment.

Fourteenth Cause of Action

37). Defendant James Foff, Grievance Coordinator (SCIF) is directly responsible process and response of prisoner's Grievance at (Initial Level Review), 37 Pa. C.S. (Code) § 93.9. And is legally responsible for the pattern of unconstitutional practices of chronology events from which Retaliation and conspiracy extend ~~→~~ resulted Plaintiff's persistent decline double celling while pursuing single cell status by exercise constitutional protected activity.

Defendant by a willful and deliberate indifferent has wantonly cause Plaintiff to suffer a loss of sleep, headaches, physical pain, impairment of speech, emotion distress, mental anguish, shock trauma, humiliation, intimidation and mockery in violation his United State Const. Rights at U.S.C.A. 1, 8 and 14. Right to petition prohibition against cruel and unusual punishment, due process and equal protection of the law as set forth similar occurrence (SC2-CRE) in (PARAGRAPH) 1 through 7 at L. 10-20, 9L. 14, 16-20, 10L. 1-5, 18L. 9-12, 22, 22b., 22c, and 22h; also similar (SCIF) at 13L. 1-8.

Fifteenth Cause of Action

38. Defendant Robert Shannon (SCIF), of Facility Manager was directly responsible management, security and operation of housing units of the prison. He was in charge of all correctional officers (C.O.) staff, unit managers and head/superior person (PRC) program review committee. He is legally responsible for the unconstitutional practices from which a chronology of events extend in retaliation and conspiracy to break Plaintiff's hand/long term position declining double cell, and bring compliance by force either using those responsible exercise if not ordered purpose his refusal and denial. Grant of status has by a wanton wilful deliberate indifference to the Plaintiff's United State Const. Rights at U. S. C. A. 198 and 14, and cause him to suffer as stated in (PARAGS.) similar (SCIF-PRC) 1 through 7L. 10-20, 9L. 14, 16-20, 10L. 1-5, 18L. 9-12, 22, 22b., 22s., and 22h; Further in like manner (SCIF) at 13L. 1-8; "though (SCIF) violations occurred first."

Sixteenth Cause of Action

39. Defendant B.K. Smith (SCIF), centralize Service is legally responsible for his engagement by order, OR failure to prohibit pattern of unconstitutional practices of a chronology of events from which retaliation and conspiracy ^{occurred} when resided as head/superior committee person (PRC) conducting hearings and have conclusive determination of Plaintiff cell status had by a wilful and deliberate indifference wantonly caused him to suffer as outlined similar (SCIF-PRC) where in (PARAGS.) 1 through 7L. 10-20 and 22b that deny prisoners Right to petition, Prohibition against cruel and unusual punishment, due process and equal protection of the law..... Conferring No. 35 hereinafter.

- c). 15,000 AGAINST defendant BARNETT;
- d). 10,000 AGAINST defendant T. Stacheleck;
- e). 25,000 AGAINST defendant Frank J. Gallis;
- f). 15,000 AGAINST defendant Handi K. DASCANI;
- g). 20,000 AGAINST defendant Roy E. Johnson;
- h). 15,000 AGAINST defendant B. Lane;
- i). 10,000 AGAINST defendant Kastile,

FROM EACH OF THEM.

5. GRANT PUNITIVE DAMAGE OF \$15,000 TO 20,000
AGAINST EACH OF THE DEFENDANTS TO PLAINTIFF.

6. PLAINTIFF'S COSTS OF THIS SUIT.

7. GRANT SUCH OTHER AND FURTHER RELIEF AS THIS
COURT DEEMS JUST, PROPER AND EQUITABLE.

ADDITION TO NO. #4:

- l). 20,000 AGAINST defendant J. Chenes;
- m). 25,000 AGAINST defendant - FORMER
DEPUTY SUPERINTENDENT, R. SHANNON
- n). 18,000 AGAINST defendant B.K. Smith

V. Relief

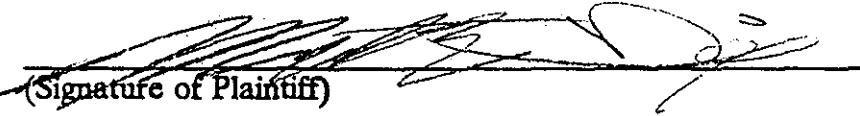
(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

WHEREFORE, Plaintiff Requests this Honorable Court
GRANT the following relief:

1. Suit be held ABEYANCE AND ORDER issue directing defendant's responsible grievance procedure (DC-ADM804 SCI - DALLAS AND C.H.E.) of the (D.O.C.) Robert S. Bitner to permit Plaintiff full and adequate access the process without interference, hindrance or delay, to, through and until full exhaustion had.
2. A protective ORDER of Plaintiff CRIMINAL RECORD, RETAIN CUSTODY AND CONTROL PRISON OFFICIALS (SCI'S) to prevent "AS experience" LEAKS PAST CRIMINAL HISTORY IN FUTURE TIMES, AND FAMILY.
3. A JURY trial on ALL issues triable by JURY.
4. GRANT compensatory damage from each of them to Plaintiff in the following amount:
 - a). 50,000 AGAINST defendant Martin F. Hor
 - b). 30,000 AGAINST defendant J. Harvey Bell;
 - c). 40,000 AGAINST defendant Robert S. Bitner
 - d). 15,000 AGAINST defendant Ben VARNER;

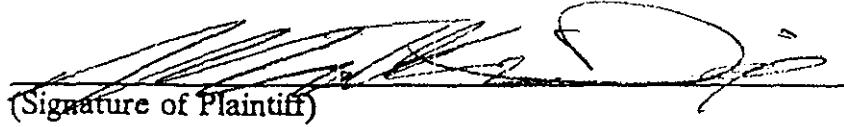
(Continue Attached Rider, P. #3A)

Signed this 19th day of September, 2000.


(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

9-19 - 2000
(Date)


(Signature of Plaintiff)

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. _____

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS